

## Message Text

SECRET

PAGE 01 TUNIS 03727 271043Z

ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 AF-10 FEA-01 ACDA-07 AGRE-00

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 EPG-02 COME-00

DLOS-09 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05

FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00

L-03 NSAE-00 NSC-05 NSF-01 OES-07 OMB-01 PA-01

PM-04 PRS-01 SP-02 SS-15 STR-04 FPC-01 SCS-03

SCA-01 NSCE-00 SSO-00 USIE-00 INRE-00 /148 W

-----271058Z 077813 /23

O 271015Z MAY 77

FM AMEMBASSY TUNIS

TO SECSTATE WASHDC IMMEDIATE 6908

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY TRIPOLI IMMEDIATE

AMEMBASSY VALLETTA

CINCUSNAVEUR

COMSIXTHFLT

EUCOM

SECDEF WASHDC

USDOCOSOUTH NAPLES

S E C R E T TUNIS 3727

CINCUSNAVEUR, COMSIXTHFLT, EUCOM, USODCOSOUTH ALSO PASS POLADS

E.O.11652: (XGDS-2 (IMPDET)

TAGS: PFOR PLOS ENRG TS LY IT

SUBJECT: TUNISIAN/LIBYAN CONTINENTAL SHELF DISPUTE:

PRIME MINISTER NOUIRA'S WARNING

1. I SAW PRIME MINISTER HEDI NOUIRA EARLY THIS MORNING  
AT THIS REQUEST FOR DISCUSSION OF LATEST DEVELOPMENTS IN  
CONTINENTAL SHELF DISPUTE. NOUIRA TOLD ME THAT LIBYAN  
AMBASSADOR HAD COME IN MAY 25 TO ALERT GOT TO EARLY  
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ARRIVAL OF "J.W. BATES" IN REGION OF FORMER SCARABEO  
IV DRILLING SITE. LIBYAN AMBASSADOR, WHEN PRESSED,  
WAS UNABLE TO GIVE COORDINATES OF PLANNED AMERICAN  
DRILLING OPERATION. PRIME MINISTER TOLD LIBYAN AMBASSADOR  
HE HOPED IT WOULD BE IN UNDISPUTED WATERS AND NOT AT  
ALL NEAR SCARABEO IV SITE.

2. I TOLD PRIME MINISTER WE KNEW THAT "J.W. BATES" HAD ALREADY DEPARTED MALTA FOR INTENDED DRILLING SITE BUT HAD NOT YET RECEIVED WORD THAT IT HAD ARRIVED. WE, TOO, WERE UNSURE OF PRECISE COORDINATES AT INTENDED SITE. I ADDED THAT WE WERE DISAPPOINTED TO FIND OURSELVES POWERLESS TO PREVENT READING AND BATES FROM PROCEEDING WITH ITS DRILLING CONTRACT. NOUIRA SAID HE WISHED TO ASSURE ME THAT HIS GOVERNMENT SINCERELY APPRECIATED EFFORTS MADE BY DEPARTMENT TO DISSUADE READING AND BATES FROM PROCEEDING WITH THIS UNDERTAKING. HE FULLY APPRECIATED THE LEGAL DIFFICULTIES WE CONFRONTED, BUT HE FELT I WOULD UNDERSTAND HOW HARD IT WOULD BE FOR AVERAGE TUNISIAN TO COMPREHEND OUR POWERLESSNESS IN SUCH CASES.

3. I TOLD PRIME MINISTER THAT I WAS SEEKING GUIDANCE FROM WASHINGTON ON HANDLING OF INEVITABLE PRESS INQUIRIES ON READING AND BATES, VENTURE, BUT HAD NOT UP TO THAT TIME RECEIVED THE GUIDANCE (STATE 122374 WAS AVAILABLE SHORTLY THEREAFTER.)

4. NOUIRA SAID THAT ENTRY OF AN AMERICAN-OWNED VESSEL INTO TUNISIAN TERRITORIAL WATERS COULD NOT CHANGE LEGALITIES OF SITUATION AND THAT TUNISIAN WOULD STILL FEEL NECESSITY OF DEFENDING ITS INTERESTS. HE WAS PLEASED TO HAVE BEEN INFORMED THAT USG HAD WARNED READING AND BATES OF POSSIBLE PHYSICAL DANGER CREW OF "J.W. BATES" MIGHT FACE. HE FORESAW DISTINCT POSSIBILITY OF "A CLASH". HE BELIVED THAT TUNISIAN INTERESTS  
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WOULD DICTATE DELIVERY OF SUMMONS TO MASTER OF "J.W. BATES" (FOLLOWING PRECEDENT IN SCARABEO IV CASE). IF LIBYAN ARMED FORCES HAPPENED TO BE PRESENT AND USED FORCE TO PREVENT DELIVERY OF SUMMONS, TUNISIAN FORCES WOULD FEEL OBLIGED TO RESPOND IN KING TO SUCH USE OF FORCE BY LIBYANS. HE HOPED THIS POSSIBILITY COULD BE AVOIDED BUT FELT WE SHOULD BE AWARE OF IT AS A DISTINCT EVENTUALITY.

5. I TOLD PRIME MINISTER I HOPED SUCH A CLASH AND POSSIBLE LOSS OF LIVES COULD INDEED BE AVOIDED AND THAT WE WOULD BE INFORMED AS SOON AS TUNISIANS HAD DECIDED UPON THEIR COURSE OF ACTION. I RESTATED FOR HIM THE POSITION OF USG AND EMPHASIZED THAT THE REGRETTED ENTRY OF AN AMERICAN PARTY TO THIS DISPUTE WOULD NOT CHANGE THE OFFICIAL POSITION ON THE DISPUTE WHICH WE HAD TAKEN. NOUIRA SAID HE APPRECIATED OUR UNDERSTANDING. HE ADDED THAT THE PRESS CONTROLLED BY THE PARTY WAS UNDER INSTRUCTIONS TO PUBLISH NO INFLAMMATORY WORDS AGAINST

US; HOWEVER, HE WOULD BE UNABLE TO CONTROL SUCH PRIVATELY  
PUBLISHED PAPERS AS "LE TEMPS", "AS SABAH", BOTH OF  
WHICH CARRY IN THIS MORNING'S EDITION FRONT PAGE REPORTAGE  
ON "AMERICAN DRILLING OPERATIONS ON THE CONTINENTAL  
SHELF (SEPTEL). WE AGREED THAT I WOULD REPORT HIS  
VIEWS TO WASHINGTON AND WOULD REMAIN IN CLOSEST POSSIBLE  
TOUCH DURING PERIOD.  
MULCAHY

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NNN

## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** X2 (IMPDET)  
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**To:** STATE  
**Type:** TE  
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